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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

American DJ Supply, a California corporation,) CV 10-00299 RSWL (JEMx)
Plaintiff,) ORDER Re: Plaintiff's Ex
v.) Parte Application for an
V2GO Technology Corporation, an entity of unknown form, American) Order Striking Defendant
Audio Laboratory, Inc., an entity of unknown form; et. al.,) American Audio
Defendants.) Laboratory Inc.'s Answer
to the Second Amended Complaint and Counterclaims [98]

Currently before the Court is Plaintiff American DJ Supply Inc.'s ("Plaintiff") Ex Parte Application for an Order Striking Defendant American Audio Laboratory Inc.'s Answer to the Second Amended Complaint and Counterclaims [98]. The Court having reviewed all papers submitted pertaining to this Application, **NOW FINDS AND RULES AS FOLLOWS:**

The Court hereby **DENIES** Plaintiff's Application because it is procedurally improper. Plaintiff has not

1 shown good cause as to why an ex parte application is
2 necessary here and how Plaintiff would be prejudiced if
3 forced to bring a properly noticed motion. See Mission
4 Power Engineering Co. v. Continental Cas. Co., 883
5 F.Supp. 488, 492 (C.D. Cal. 1995) (holding that in
6 order to justify ex parte relief, the moving party must
7 first show that its cause will be irreparably
8 prejudiced if the underlying motion is heard according
9 to regular noticed motion procedures). Accordingly,
10 Plaintiff's Ex Parte Application is **DENIED** as
11 procedurally improper.

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13 **IT IS SO ORDERED.**

14 DATED: January 3, 2012.

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RONALD S.W. LEW

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HONORABLE RONALD S.W. LEW
Senior, U.S. District Court Judge

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